

1. Submit monthly claims on the Contract Attorney Summary Claim Form (Form). The Form must contain an OPD number for each case which is assigned by the Regional office when they assign the case. It should also contain the total fees (hours worked x \$60) for each case. Attach to the Form an itemization of hours worked on each case and the date. If you are claiming mileage or meals under "costs," you **must** attach a signed State Travel Voucher. Please review the state Travel Policy contained under the green Tab entitled FORMS (http://doa.mt.gov/doatravel/pdfs/travelpolicy_2006.pdf). Include your travel costs on the claim form under "costs" and they will be paid in the same check as your fees.
2. Please bill in six (6) minute increments, (.10 equals six minutes) and outline completely the task billed. Many times questions are raised because the time claimed appears to exceed a reasonable time for the task, and upon further inquiry we determine that more than the task listed was actually performed.
3. We would like you to bill the actual amount of time worked on each task, not a preset amount for each task, *i.e.* every t/c is **not** .02. This raises flags because we believe that each telephone call is unique and when each is billed at the same amount of time, we must inquire.
4. Currently, the policy adopted by the Public Defender Commission is that we will reimburse you **up to \$25** for your office costs such as postage, copies and telephone. We understand that those of you who are representing numerous clients are expending more than this amount. It is my intention to have this policy reviewed at our December 6 Public Defender Commission meeting.
5. We will reimburse you for collect calls from clients who are incarcerated. You must attach your phone bill and itemize those costs on the Form.
6. We have a Pre-Approval Request form which must be completed and signed by you **prior** to incurring any costs exceeding **\$100**. If your costs are for copying we will reimburse you at the rate of **\$0.08** per page when you use your in-house copier, or the actual cost when using a retail copy shop. You have open access to OPD's copy machines if you are in a vicinity where we have an office. As for other costs, please attempt to get a binding quote from professionals which we can enforce. We are seeing requests for \$1000, for example, which are approved and then a bill which exceeds the approved amount.
7. Dr. Laura Wendlandt is OPD's new mental health professional. She can be reached at 406.896.4935 or at dr.laura@mt.gov. Please consult with her prior to committing yourselves to a mental health expert at a specific cost. She will be creating a protocol of various required mental health "tests" *e.g.* a fitness to proceed defense may have a different protocol than a mitigation evaluation.

8. Please submit a separate Form for each Region in which you've worked and send that Form to the appropriate Regional office for approval.
9. Please submit your bills by the tenth of the month following the month for which you are billing, *i.e.* submit September's billing by October 10. If your bill is being questioned for some reason, we immediately advise you by email, typically from Lynn MacMillan. Please respond as soon as possible so that we can resolve the issue. We date stamp your bills both at our Regional offices and at the central office and will pay your invoices within 30 days from receipt in our Regional office, assuming there are no concerns with said billing.
10. If you think that a case needs to be appealed, you must contact your Regional office immediately. Then you must file a Notice of Appeal. The Regional office will request transcripts. Your next duty is to contact either Sarah Braden or Jim Wheelis at the Appellate Defender office to determine if they or you will be handling the appeal. A new appellate OPD number will be assigned to the case and you will be advised to continue with the appeal or to forward the file to them. If they decide that you will continue with the appeal, your billing for the appellate case(s) should be included on a **separate** Form, itemized as above and forwarded to the Appellate office at P.O. Box 200145, Helena, MT 59620-0145. They can be reached by phone at 406.841.2001.

More to come periodically.

Thank you for all the work and dedication.

Larry Murphy

Contract Manager